

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CHARLES T. HOYE,)	Civil Action No. 7:14cv00124
Plaintiff,)	
)	
v.)	FINAL ORDER ADOPTING
)	REPORT AND RECOMMENDATION
)	
HAROLD CLARKE, et al.,)	By: Michael F. Urbanski
Defendants.)	United States District Judge

Charles T. Hoye, a Virginia inmate proceeding *pro se*, brings this action pursuant to 42 U.S.C. § 1983, alleging that the defendants violated his rights under the United States Constitution and various federal and state laws. Defendants moved for summary judgment and Hoye timely responded. The court referred the matter to United States Magistrate Judge Joel C. Hoppe for a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge subsequently filed a report, finding no genuine dispute of material fact and recommending that the court deny Hoye's motion to amend his complaint and grant defendants' motion for summary judgment. Neither party has filed objections to the report and recommendation within the time allotted. Having reviewed the report and pertinent portions of the record, the court agrees with the Magistrate Judge's recommendation.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** that the Magistrate Judge's report and recommendation (Docket No. 38) is **ADOPTED** in its entirety; Hoye's motion to amend his complaint (Docket No. 33) is **DENIED**; defendants' motion for summary judgment (Docket No. 24) is **GRANTED**; and this matter is **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a copy of this order to the parties.

Entered: March 20, 2015

Michael F. Urbanski

Michael F. Urbanski
United States District Judge